

S/N: 10763,564

Atty Dkt No. GP-303008 / GM0401PUS

Remarks

The following remarks are intended to be fully responsive to the Office Action mailed September 28, 2005:

Claims 1- 20 are pending in this application. Claims 13-19 were previously withdrawn from consideration. Claims 1, 5, 7, 11 and 12 are rejected under 35 U.S.C. § 102(b) as being anticipated by Cawley (US 6,504,093). Claim 20 is allowed. Claims 3, 4, 6, and 8-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Objections to the Claims

The Examiner objected to claims 3, 4, 6, and 8-10 as being dependent upon a rejected base claim, with the claims being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 1 is the rejected base claim from which each of the listed claims depends. Per the §102(b) discussion that follows regarding claim 1, and the amendment thereto, Applicants respectfully submit that claim 1 is allowable and therefore claims 3, 4, 6, and 8-10 which depend therefrom are properly allowable in dependent form.

Rejections under §102(b): Anticipation of Claims 1, 5, 7, 11 and 12 by Cawley

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See MPEP §2131. Claim 1 requires "a unitary one-piece *floor panel* formed within an integral channel for routing a vehicle distribution system conduit at least partially within said channel . . . wherein the floor panel includes an inner panel portion and an outer panel portion *forming a floor pan portion* . . ." (emphasis added). In rejecting claim 1, the Examiner states that Cawley "discloses a *floor* (14) comprising a unitary, one-piece *panel formed with an integral channel* for routing a vehicle distribution system conduit at least partially within said channel..." (emphasis added). Applicants have amended claim 1 to clarify that the panel referred to is

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a “unitary, one-piece *floor panel* formed with an integral channel” and that the floor panel “includes an inner panel portion and an outer panel portion *forming a floor pan portion . . .*” (emphasis added). The amendment to claim 1 does not present new matter, as Figure 1 clearly depicts the one-piece floor panel 10 and Figure 6 illustrates that the floor panel 10 forms a floor pan portion.

The Examiner does not specify which component of Cawley’s floor 14 she refers to as the “integral channel”. Applicants assume that the Examiner refers to either the cylindrical housing 22 or 22’, as these are the only channels in Cawley in which a conduit is routed.

The floor panel of Cawley appears to be the unnumbered, cross-hatched structure upon which carpet 30 lays. Cawley’s floor panel is clearly separate and distinct from the cylindrical housing 22 or 22’ in both of the embodiments disclosed by Cawley; Cawley’s floor panel is not “formed with an integral channel” as required by claim 1. Furthermore, Cawley’s cylindrical housing 22 or 22’ is clearly not formed by a unitary, one-piece panel that also “form[s] a floor pan portion” as required by claim 1. With respect to the relationship between the disclosed cylindrical housing 22 and the floor 14, Cawley states:

In one preferred embodiment, the cylindrical housing 22 of the cabling apparatus 10 is affixed to the cabin floor 14 by a fastener 32. The cabin floor 14 of the aircraft cabin 12 comprises carpeting 30. The fastener 32 is attached on one surface to the bottom of the cylindrical housing 22 of the cabling apparatus 10, and on the opposite surface to the carpeting 30. The fastener 32 is of suitable material to fasten the cylindrical housing 22 to the carpeting 30 of the cabin floor 14.
(col. 2, lines 35-43)

Therefore, Cawley clearly teaches that the cylindrical housing 22 is **not** integrally formed by the floor panel of Cawley, but is separate from the floor panel and mountable (from

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above) to carpet 30 laying over the floor panel, as depicted by the cross-sectional view of Figure 2.

Cawley's second embodiment of Figure 3 also lacks "a unitary one-piece floor panel formed with an integral channel for routing a vehicle distribution conduit" as required by claim 1, with respect to this embodiment, Cawley teaches:

The cylindrical housing 22' is connected to a slotted member 34 underneath the cylindrical housing 22'. The slotted member 34 forms a channel 35 having a width sufficient to allow the insertion of an edge of carpeting 30 into the slot created by the slotted member 34. The slotted member 34 advantageously allows for easy installation or retrofitting the aircraft cabin 12 with the cabling apparatus 10 by lifting the edge of the carpeting 30 and inserting it into the channel 35 formed by the slotted member 34. (col. 2, lines 58-67)

Thus, cylindrical housing 22' **connects to the carpet 30 above the floor panel**, and is **not** "an integral channel" that is formed by "a unitary, one-piece floor panel" that also "form[s] a floor pan portion" as required by claim 1.

Moreover, Cawley describes a cabling apparatus 10 or 10' with a cylindrical housing 22 or 22' that is readily usable with existing aircraft cabins, regardless of the design of the floor panel. Cawley states that the cabling apparatus "can easily be integrated in the cabin of an aircraft and allow for the easy installation of cabling." (Column 2, lines 7-8). In other words, Cawley's cylindrical housing 22 or 22' can be integrated in existing aircraft by being easily mounted **above the existing floor panel**, as described above.

Accordingly, because Cawley does not teach a floor comprising "a unitary, one-piece floor panel formed with an integral channel for routing . . . conduit at least partially within [the] channel . . . [and that] includes an inner panel portion and an outer panel portion forming a floor pan portion", as required by claim 1, Applicants respectfully submit that the rejection of claim 1 is overcome.

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With respect to claims 5, 7, 11, and 12, because these claims depend from claim 1, they are allowable for at least the same reasons that claim 1 is allowable. Additionally, because claim 1 is allowable, claims 3, 4, 6, 8 and 10 are allowable in dependent form.

Conclusion

This Amendment is believed to be fully responsive to the Office Action mailed September 28, 2005. The amendment to claim 1 and remarks in support of the rejected claims are believed to place claims 1-12 and 20 in condition for allowance, which action is respectfully requested.

Respectfully submitted

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